IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

Bail Appl..No. 4297 of 2007()

CRIME NO. 341/07 OF OLLUR POLICE STATION

APPLICANT/ACCUSED NO.1

RAMESAN, AGED 42 YEARS,
S/O RAMAN, PERINJERI HOUSE,
PONOOKKARA, PUTHUR VILLAGE,
THRISSUR.

BY ADV. SRI.P.SANTHOSH (PODUVAL)
SMT.R.RAJITHA

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE, OLLUR POLICE STATION,
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 4297 of 2007

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Dated this the 16th day of July, 2007

O R D E R

Application for regular bail. The petitioner is the first accused. Altogether there are nine accused persons. He faces allegations in a crime registered, inter alia, under the Explosives Act and under Section 308 r/w. 149 I.P.C. The alleged incident took place on 20.5.2007. On account of animosity arising from some property dispute between the first accused and the defacto complainant, the first accused, along with the other accused, allegedly attacked the defacto complaint who was travelling on a two wheeler. Investigation is in progress. The petitioner was arrested on 12.6.07, submits the Prosecutor. He continues in custody.

2. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. Allegation under Section 308 I.P.C. has been raised unnecessarily. In any view of the matter the petitioner, who has been continuing in custody for a long period of time, may now be enlarged on bail, submits the learned counsel.

3. The learned Prosecutor opposes the application. He submits that except the accused 1 and 4 other accused have not been arrested so far. The allegations are serious. A3 to 9 are friends etc. of the first accused, who were pressed into service by the first accused for this purpose. In these circumstances appropriate conditions may be imposed, if the petitioner were enlarged on bail, submits the Prosecutor.

4. I am satisfied that subject to appropriate terms and conditions which shall ensure that the Investigator shall get reasonable further time to complete the investigation, the petitioner can be enlarged on bail.

5. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 25.7.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.75,000/- (Rupees seventy five thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

© He shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of three months from the date of his release.

(d) The petitioner shall not enter the jurisdiction of Ollur Police Station until further orders, except for the purpose of complying with condition © above.

(R. BASANT)
Judge

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